

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai
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Date: 17 January, 2023

CORAM: Sanjay Kumar, Chairperson
I.M. Bohari, Member
Mukesh Khullar, Member

Case No. 7 of 2023 and IA No. 3 and 4 of 2023

Case of M/s. Gajkesari Steels & Alloys Private Limited under Regulation 16.2.4 of the MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees Including Power Quality) Regulations, 2021 challenging the “Debit Bill Adjustment” amounting to Rs. 24,25,16,847/- included by MSEDCL in the petitioner’s current monthly energy bill dated 11 January, 2023.

And Interlocutory Application seeking ex-parte ad-interim Orders/directions for stay of the “debit bill adjustment”.

And Interlocutory Application seeking urgent hearing of the interim application for stay.

M/s. Gajkesari Steels & Alloys Private Limited. : Petitioner

Maharashtra State Electricity Distribution Co. Ltd. : Respondent

Appearance

For the Petitioner: Adv. Ashish Singh

For the Respondent: Adv. Kiran Gandhi

Daily Order

1. Heard the Advocates of the Petitioner and Respondent.
2. Advocate of MSEDCL requested time to submit a reply to the Petition, as the matter is listed urgently for the hearing.
3. Advocate of the Petitioner stated that in view of GoM Policies for new industries, MSEDCL was providing an additional promotional subsidy to the Petitioner during May,

2017 to March, 2022. However, in billing month of December, 2022, MSEDCL raised the recovery of Rs. 24,25,16,847/- under head of “Debit Bill Adjustment”, which is not as per MERC Supply Code Regulations, 2021. The Petitioner has already paid the amount against the billing of the current month by deducting above said additional debit bill adjustment, therefore, the Petitioner shall be held eligible to receive load factor incentives, prompt payment incentives, etc. It is not possible for the Petitioner to pay such a huge amount, even if it is required to be paid under protest.

4. Advocate for MSEDCL stated that the Petitioner may opt for the provision of 3 installments as is offered to the similarly placed consumers and may pay one installment out of the total debit bill adjustment.
5. The Commission directs MSEDCL to file its reply within 10 days.
6. The Petitioner is at liberty to avail the option given by MSEDCL to all similarly placed consumers for payment of first installment of the amount, within 3 days. Commission directs MSEDCL not to take any coercive action against the Petitioner and thereafter also in case one instalment is paid by the consumer.

Based on the submissions of MSEDCL, the Secretariat of the Commission will communicate the further date of the hearing.

Sd/-
(Mukesh Khullar)
Member

Sd/-
(I.M. Bohari)
Member

Sd/-
(Sanjay Kumar)
Chairperson